

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
CRIMINAL NO. 22-162 (DSD/TNL)

United States of America,

Plaintiff,

v.

**ORDER**

Joshua Gunnar Olson,

Defendants.

This matter is before the court on the objection by defendant to the October 22, 2024, order of Magistrate Judge Dulce J. Foster denying defendant's motion for withdrawal of counsel.

The district court will modify or set aside a magistrate judge's order on a nondispositive issue only if it is clearly erroneous or contrary to law.<sup>1</sup> 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); D. Minn. L.R. 72.2(a). This is an "extremely deferential" standard. Reko v. Creative Promotions, Inc., 70 F. Supp. 2d 1005, 1007 (D. Minn. 1999). "A finding is clearly erroneous when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed." Chakales

---

<sup>1</sup> Defendant argues that the court should review the order de novo because it implicates his right to effective assistance of counsel. The court disagrees. The constitutional effectiveness of counsel is not at issue. Rather, defendant and his counsel simply have a difference of opinion regarding tactics and strategy.

v. Comm'r of Internal Revenue, 79 F.3d 726, 728 (8th Cir. 1995) (citations and internal quotation marks omitted). "A decision is contrary to law when it fails to apply or misapplies relevant statutes, case law or rules of procedure." Knutson v. Blue Cross & Blue Shield of Minn., 254 F.R.D. 553, 556 (D. Minn. 2008) (citations and internal quotation marks omitted).

The court finds no basis on which to overturn the magistrate judge's thoughtful and well-reasoned decision. See ECF No. 123.

Accordingly, based on the above, **IT IS HEREBY ORDERED** that the objection [ECF No. 126] to the magistrate judge's order is overruled.

Dated: December 4, 2024

s/David S. Doty  
David S. Doty, Judge  
United States District Court